

QUID NOVI

Journal des étudiant-e-s
en droit de l'université McGill

McGill Law's
Weekly Student Newspaper

Volume 33, n°10

22 novembre 2011 | November 22ND 2011

QUID
NOVI

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WANT TO TALK? TU VEUX T'EXPRIMER?

Envoyez vos commentaires ou articles avant
jeudi 17h à l'adresse : quid.law@mcgill.ca

Toute contribution doit indiquer le nom de
l'auteur, son année d'étude ainsi qu'un titre
pour l'article. L'article ne sera publiée qu'à la
discrétion du comité de rédaction, qui

basera sa décision sur la politique de
rédaction.

Contributions should preferably be submitted as
a .doc attachment (and not, for instance, a
".docx").

EDITORS
IN
CHIEFIT IS ~~THAT~~ THIS TIME
OF THE YEAR AGAIN...

It is that time of the year. Yes, you heard right: *that* time of the year. Bear with us for a moment, we will try to draw an picture:

You walk down the street to the funky beat of Christmas songs, the smell of the holidays caressing your skin; you look around and all you see is the light touch of cinnamon in the air; people running in and out of stores, trying to find the perfect gift; train stations packed with those who are going away or those who are coming back to spend their holidays with their loved ones. It is all about giving, loving and being happy (and capitalism). It is all about being cheesy and not caring about it! As you walk, you tilt your head back in the snow, for just a few moments, and open your mouth and let the miniature flakes melt on your tongue.

Alas, we still have a few weeks to go before we reach *that* time of the year! Right now, it is *this* time of the year:

You walk up the hill to the incessant drawl of your profs, the smell of the Civil Code lingering on every article of clothing you possess; you look around and all you see is... Well, you don't see much because your eyes cannot focus on anything anymore; disheveled students (and those few who still manage to look professional) with their coffee mugs, waiting for the library to open its doors; a library packed with those who are writing essays, summaries and more summaries (and the occasional techy playing Angry Birds on his iPad). It is all about studying, studying and more studying. It is all about being a nerd and loving it (... ewww)! As you walk, you tilt your head back, realize that global warming has completely eradicated snow in the month of November. Alas, we still have a few weeks to go before this time of the year is *over*!

Until then, the Quid is here for you! With a spicy vegetable stew recipe (p.23), great

advice from our beloved Beverly (p.27) and, of course, a few words from your very competent Editors-in-Chief on how to deal with the stress of exams, this edition will hopefully put a smile on your gloomy law student face!

HELIA

How to deal with exams? I would be by far the last person you want to get advice from. Then again, aren't we all masters at giving advice without being able to follow it ourselves?

Let me try:

What gets me through exams is mostly having other tormented souls around who try to put their stress aside and calm me down; friends who are willing to offer me a massage or a cup of tea! My advice: get some of your friends to bring you something you crave (other than coffee).

What gets me through exams is thinking about the day I can call those friends up and exclaim: "I AM DONE, LET'S GO WATCH FOUR MOVIES IN A ROW RIGHT NOW!" My advice: think about the day you will call your friends for reasons other than asking them questions about your upcoming exams.

What gets me through exams is seeing a smile and remembering that life is not just about exams and school. My advice: ...oh come on! I won't say it out loud.

THOMAS

Two words: Girls Aloud. Judge me all you want, only British girlbands can clear my mind after a long day of summarizing, and it doesn't get better than these ladies. A simple guide matching common situations with an appropriate song:

- *Studying Contractual Obligations*: The Promise ("Promise I made, starting to fade.")

- *Studying Family Law*: Biology ("You can't mistake my biology.")

- *Stuck on French readings*? Can't Speak French ("I can't speak French so I'll let the funky music do the talking.")

- *Summer Nostalgia*: Long Hot Summer ("It's only Sunday morning and I need that Friday feeling again.")

AMANDA

I *don't* deal with exams.

'Nough said. But I'm still here! *evil laugh* They haven't gotten rid of me yet!

My fellow Editors-in-Chief disapprove of my negativity. I can *hear* their eyes rolling as they read this. Under duress then, I must concede that I do, in fact, *deal* with exams and I do this by...

REMINDING MYSELF THAT THEY ARE JUST EXAMS! The added pressure comes from the word "law" in "LAW exams" and "LAW school". Tell yourself that you are the calibre of person who is capable of learning what the state of the law is and applying that to a fact pattern or essay question.

Also, surround yourself with people. I was quite the hermit in my first semester, and I felt really lonely. There is nothing motivational about loneliness, no matter how many coffees you have ingested or friends you have added on Facebook! I suggest you do one thing a week, at the very least, that you deem to be "unwise" given that you "haven't studied at all, like, OMG, you are soooo going to flunk out!" And this something should involve people you love or care about, the friends you haven't seen in weeks (since you've been making a nest out of Civil Code articles in NCDH)! Getting a laugh in here and there keeps you sane and, most importantly, happy.

Oh, yeah! And watch videos of giggling babies.

GOOD LUCK!

MELANIE
BERNARD

DOWN BY LAW: LAW STUDENT VS. RIOT POLICE

Where were you last Thursday night when all hell broke loose at McGill? I was on my way to a disability studies lecture on campus. As I cycled to school, I noticed a helicopter circling overhead. Approaching the Milton gates, I saw cop car lights flashing. There must be some kind of accident. The police yelled at me to turn around; for whatever reason, campus was "off limits". The cops wouldn't explain what was going on. I slowly pieced it all together: Students were demonstrating against tuition hikes on campus and the cops had moved in on them.

Suddenly, I was in a war-zone. The helicopter circled overhead as dozens of cops with shields and batons stormed around us. They herded the on-campus crowd towards the Milton gates with pepper spray and batons. I stared on helplessly as peaceful protesters - my fellow students - were pummeled to the ground. In utter shock and disbelief, I screamed: "What are you doing?!? What are you doing?!?" I saw one student with blood on his face, another collapse from a pepper spray attack. Words cannot describe my emotions: terror, anger, anguish...utter incredulity. This can't possibly be happening!?! How could this possibly be happening?!?

The riot squad charged forward, menacingly banging their batons against their shields. An army of soldiers formed before me. Suddenly, somehow, I'd become the enemy. Behind me, students stood peacefully, terrorized and

watching. The tension was palpable. Cameras were rolling. One student came forward, dropping her bags, raised hands in the air: "Je suis une étudiante! Je suis une étudiante!"

"MOVE! MOVE!" "BOUGE! "GO HOME!"

This is my home. This is my neighborhood. This is my campus. Why are you doing this?

A voice on a megaphone: "IF YOU DON'T LEAVE NOW, WE'LL DISPERSE YOU AND USE THE NECESSARY FORCE TO DO IT!"

I stood there, frozen. This can't be happening...this can't be happening... How can I stay and risk my own safety? But why would I leave when I have a right to be here? We're doing nothing wrong. We aren't being violent or threatening. This is Canada, and we have something called the Charter. I've been studying it earnestly for the past two years. Freedom of expression and freedom of association... surely they must mean something?!?

I stared at the row of police in front of me. "Why are you doing this? Look around you. What are you doing?"

BANG! (A synchronized smack of batons against shields). What's happening? What are they doing? They tackled me to the ground. If it weren't for my bike helmet, my head would have hit the pavement. They grabbed me and threw my hands behind my back. Am I getting arrested? They vio-

lently dragged me up University Street. "MOVE! MOVE!" How can you move when your feet can't touch the ground? I can't stand up! They threw me down.

"My bike! Where is my bike?" "MOVE! MOVE!" "I need my bike." "FORGET IT! We'll arrest you if you come near here again." I believed them.


I sat down in the middle of the University Street and watched the police chase the crowd away. "Necessary force?!" They hunted students down alleyways, marching and beating their batons. The helicopter circled overhead. The cavalry arrived. Suddenly, the crowd was gone.

A short while later, the police were gone. The street was near empty. Had this really happened? Had I imagined the whole thing?

A few kind strangers got my bike back for me. It had been trampled; it wouldn't roll. My bike lock was in the garbage. My keys were gone. They must have fallen out of my pocket as they dragged me away.

That night I discovered a new freedom. This one isn't listed in the Charter. You probably won't learn about it in school: The freedom to be beaten by the police for trying to assert your rights.

I was cold. I was wet. I was bruised. I was locked out of my house. I was shaken.



**BRUCE
REED**

AN OPEN LETTER TO DEAN JUTRAS

Dear Dean Jutras,

I am writing to ask you to reconsider your decision to accede to the Principal's request to investigate the events of Thursday, November 10. As Chief Executive Officer of the University, she might well be held responsible for the decision to call in the police and the resulting violence. For this reason, I am astonished that she has asked one of her employees to conduct an "independent" investigation of the events. This certainly does not give the appearance of an impartial process. The impartiality of the inquiry is further tainted by the fact that the Principal has set the terms of reference, including insisting that you assign fault to no specific individual. Finally, an inquiry where the final report is to be given to one of the parties in

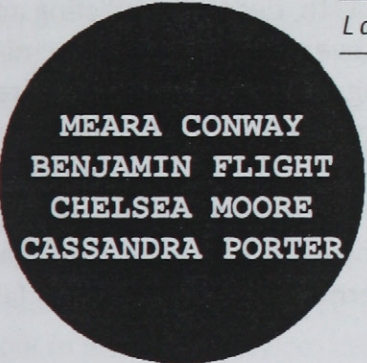
the dispute, rather than being released publicly, looks a little skewed.

These concerns seem glaringly obvious to many. MAUT's response to the Principal's initiative sets out that if the investigation is to command any credibility then it must be chaired by an independent party and include student representation. Mike Finerty, interviewing the Principal on Day-break this morning, questioned her as to how an investigation headed by a faculty member currently acting as an administrator could seriously be regarded as independent. He seemed skeptical of her lackluster response. Her reaction could certainly have left the listener with the impression that the true purpose of the inquiry was simply to shield her actions from any real scrutiny.

I am not suggesting that you would not be impartial, I have complete confidence in your integrity. However, as you know, judges routinely recuse themselves from cases where there is an appearance that justice might not be done, even if they feel confident that they are fully able to render justice. In the same vein, I would think that being an employee of a party to a dispute would be an obvious example of a situation in which participation in an "independent" investigation is inappropriate, especially given the other concerns mentioned above.

I urge you to rethink your decision. Your participation in this tawdry charade does both your reputation and that of the Law School a disservice.

Sincerely, Bruce Reed



**MEARA CONWAY
BENJAMIN FLIGHT
CHELSEA MOORE
CASSANDRA PORTER**

OPEN LETTER CONCERNING MCGILL EVENTS ON NOVEMBER 10TH, 2011

Dear Dean Jutras, Faculty of Law, McGill University,

We are four McGill Law students who are very alarmed at the events that took place in and around the James Administration building on November 10th, 2011; we also have great concerns regarding your mandate to investigate them and the characterisation of the events by the McGill administration. We elucidate our concerns below.

Violent response to established forms of student protest

In her letter addressed to students on November 11th, Principal Heather Munroe-Blum acknowledged that "Security personnel called Montreal police. Four officers arrived to survey the situation. Police in the building did not speak with the occupying protesters or interact with them in any way." The Principal notes that "the presence of the riot squad, which

dispersed the protesters by its usual means, was entirely directed by the Montreal police service."

We are perplexed at McGill Security Services having the authority to call the SPVM to deal with student action. This was an internal university matter and should have been dealt with as such. Principal Munroe-Blum notes in the same letter that Provost Masi and Deputy Provost Mendelson were on site and negotiated

with the protesters to have them leave without incident. Why, then, was the University administration either complicit with -- or worse -- ignorant of McGill Security acting unilaterally to call in the police?

While it is credible that the SPVM "directed" the riot squad's actions, the notion that McGill's administration had no notice of their arrival or any opportunity to discourage the draconian measures that they employed is simply irresponsible. If the Principal's assertion is accurate that control of the campus was relinquished to the SPVM, her administration is manifestly incompetent. If, on the other hand, her message understates the degree of input the administration had into the police response, it is mendacious and was issued in bad faith.

The use of any police, let alone riot police, to suppress peaceful student protests is very distressing. The occupation of administrative buildings by students is a well-established and legitimate means of student protest that has seen effective, peaceful use at McGill and at many Canadian universities. It is unfortunate that, last week, McGill Security Services hastily resorted to using force to respond to the student occupation of an unlocked building, especially when a peaceful end was negotiated.

Legal scholar Susan Bandes defines police brutality as "conduct that is not merely mistaken, but taken in bad faith with the intent to dehumanize and degrade its target." The accounts thus far suggest that the actions of police amounted to nothing short of brutality. Community members were repeatedly pepper-sprayed, tear-gassed, and assaulted using disproportionate force (indeed, some of those assaulted were merely unfortunate passersby). The Principal's message implies that this was a foreseeable outcome when she states that the police actions followed "usual" procedure. If the administration took seriously its obligation to ensure on-campus safety, it would employ greater restraint over any agent of the University taking the extraordinary step of calling

riot police, knowing that violence would predictably result.

Concerns over possible conflicts of interests

Like many others on campus and within the legal community, we have the utmost respect for your integrity and skill. However, we respectfully raise concerns over the utility of the mandate granted to you by Principal Munroe-Blum to investigate the events of November 10th. As Mike Finnerty pointed out during a CBC interview with Principal Munroe-Blum on November 14th, you have a "vested interest" in the reputation of McGill University's administration as Dean of the Faculty of Law. Irrespective of our confidence that you will divorce this interest from your investigation, it is reasonable for us to fear that by asking you to conduct an "impartial" and "independent" investigation into the events of November 10th, 2011, the Principal has placed you in a difficult position.

A full investigation into the events of November 10th may include findings of fact regarding the actions of the senior administration. That the Principal has entrusted this task to a member of the McGill administration poses challenges regarding the investigation's ability to remain unbiased. The terms of reference say nothing with respect to your ability to make findings that may be unfavourable to McGill University nor any protection from reprisal if you do publish such findings. Moreover, academic tenure does not protect administrative roles (e.g., your decanal appointment).

While the mandate ostensibly grants you licence to "review... what happened and mak[e] whatever recommendations you judge appropriate," we later learn that your investigation must be highly circumscribed. Not only must it be "separate" from other processes for complaints and investigations, but you must also take heed to avoid any findings about individual actors, including, it is implied, findings of fact that would explain the events and give insight into how to avoid their recurrence. By censoring any element that

may prejudice other processes, we worry that the Principal's restrictions may unduly hamper meaningful fact-finding and recommendations.

The Principal's misuse of her access to McGill staff and student mailing lists

Despite her assertions that she must reserve extended commentary on the events of November 10th and that an "independent" and "impartial" investigation by you will provide the insight sought by members of the McGill University community, the Principal's own use of McGill's communication channels shows that she is not awaiting the investigation's outcome before condemning the members of the McGill community who were present at the James Administration building on November 10th.

The administration, in particular Principal Munroe-Blum, has used her privileged access to the McGill University Exchange e-mail distribution lists to make biased and subjective -- even impressionistic -- comments on the events. For example, there has been no finding that students "effectively blocked" all building exits, pushed staff to "force" their way into the building, or wore masks or hoods, yet the Principal has reported these as facts in her e-mail of November 11th, despite conflicting accounts of the events. Despite the administration's vague reassurance that there is room for "every voice," it has abused its access to McGill's communications channels to disseminate unconfirmed hearsay as fact, thereby prejudicing the investigation and undermining its potential for fairness.

Events of November 10th as symptoms of deeper problems at McGill

Overall, we believe that the November 10th events need to be placed within the context of the animosity that has developed between the administration and the broader McGill community since September 2011. In dealing with the ongoing MUNACA strike in particular, the administration has demonstrated its ignorance, and even disregard, for students' rights on campus. Particularly distressing for exam-

ple, McGill's Vice-Principal (Administration and Finance) told students who were peacefully demonstrating in solidarity with striking MUNACA workers that they "do not have the right to demonstrate on campus." This statement directly contradicts s. 25 of the McGill Charter of Students' Rights: "Every student enjoys within the University the freedoms of opinion, of expression and of peaceful assembly." If McGill's senior administrators are this oblivious to student rights, it is no wonder that these rights are being disregarded. Whether this means that students be subjected to baseless disciplinary hea-

rings for their alleged involvement in peaceful demonstrations or that riot police respond to non-violent student-led occupations, we see these events as symptoms of deeper problems at McGill, which are sure to lead to continued unrest on-campus if they are not meaningfully addressed.


We ask that you remind the McGill administration of ss. 7 and 8 of its own Charter of Students' Rights. S. 7 states that "[t]he University has an obligation to maintain safe and suitable conditions of learning and study." S. 8 states that "[t]he University has an obligation to ensure that ade-

quate measures are taken to protect security of students on University property." The events of November 10th demonstrate that the University failed abjectly in these duties. Students were intimidated and beaten on their own campus. The administration has a long way to go before it can regain the trust lost as a result of these events.

Sincerely,

Meara Conway (3L)
Benjamin Flight (3L)
Chelsea Moore (3L)
Cassandra Porter (3L)

Dean of Law



**DANIEL
JUTRAS**

RE: OPEN LETTER CONCERNING MCGILL EVENTS OF NOVEMBER 10TH, 2011

Ms. Conway, Mr. Flight, Ms. Porter, Ms. Moore

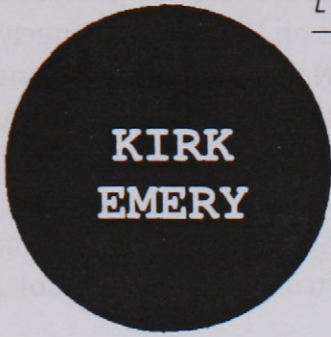
Thank you for your open letter concerning the events of November 10th, 2011. Much of its content constitutes a useful reply to my invitation for submissions from all members of the McGill community. I appreciate your input and will take account of the perspective you outline as I conduct the investigation, do my best to ascertain the truth, and make recommendations on how the McGill community can avoid a recurrence of these unfortunate events.

I would like to briefly address here your comments regarding my role in this investigation, and your concerns regarding a possible conflict of interest. As I said last week at Senate, in the final report I will speak for no one but myself, and serve no one but the University as a whole. I am a professor and a Dean at McGill, and in that sense my investigation is no more, and no less independent than if it were conducted by any other member of the McGill community. Students, staff, professors, administrators - we all have the best interests of this University at heart. I am convinced that determining what truly happened on November 10, and how it happened, is in the best interest of McGill University. The investigation is independent in the sense that it is operating at arms' length from the Principal and from anyone else in the McGill community. As law students, you know that independence and impartiality are distinct, though related, concepts.

The question, then, is whether the investigation and report can be impartial and free from bias, and whether it can be perceived as such. In this regard, the confidence you express in my own integrity is the only guarantee I can put forward. I hope that the content of the report will show that I have approached the investigation without any bias, with truth as my only objective.

With all due respect, your suggestion that I may fear reprisal or be subject to the loss of my appointment as Dean is misguided. I have nothing to fear.

Over the past few days, I have conducted several interviews, and several more are scheduled for the next few days. I have received many written submissions from students, staff, professors and administrators. I have viewed photographs and videos. I have also heard from many regarding the scope of the investigation, the underlying causes of the events of November 10, and the recommendations we should envisage as we move forward. The task is already enormous, but I must say I hope to receive even more information and submissions from members of the McGill Community between now and November 25, which I have set as the deadline. I intend to report on or before December 15th, and hope that you will find in this report the qualities of integrity and impartiality that will make you proud to be students in the Faculty of Law at McGill University.



KIRK
EMERY

CHILDREN NOT MACHIAVELLI

A few people are making a lot of noise about Patricia Nova's now infamous cartoon. If you haven't seen it yet, go to Quid Novi online and experience it yourself.

This cartoon and the blowback it helped generate are interesting on various levels. But I won't wag my finger at Nova – enough of that's been done already – and I won't talk about community building or other lofty ideals. Instead I'll try to offer a different perspective on the offense some people feel after viewing expressions.

If people say things that offend you, it's not their fault that you're offended. You're sovereign over yourself. Sure they controlled that stimulus, not you, but you control your response, not them. Their expression is only part of the equation. They can fire, fire, fire away with stimuli, but you can maintain non-responses. Or you can get yourself all worked up. The choice is yours, despite what the moral crusaders writing against Nova would have us believe.

The moral crusaders would have us be-

lieve that people lack autonomy over their feelings. They let on that expressions hurt people because expressions stab like knives. But that's false: you can't decide that a sharp knife won't cut you, but you can be impervious to expressions.

Despite what the moral crusaders say, if you want to strengthen people, profess that they control their feelings. Don't say that cartoons dominate them by publicly punishing cartoonists for making them sad. Tell them they're sovereign over themselves and that only they pull the strings of their hearts. Never say they're vulnerable to cartoons.


That's the great irony of all this – political correctness backfiring. The moral crusaders were sticking up for people by arguing that the cartoon was bad because it hurt people's feelings. But their words also say *you people don't control your feelings, the cartoonist does – now Nova, stop exercising that control so meanly!*

Think of it this way. If Machiavelli spoke about this, he might say that to dominate

a group, make them believe that your words control their feelings. That way you can touch them without lifting a finger. Although the moral crusaders have better intentions than that, the effect of their words is the same. Like Machiavelli, by publicly punishing a cartoonist for hurting people's feelings, the moral crusaders say *you people don't control your feelings, the cartoonist does – now Nova, how will you have them be today?*

Good intentions aside, it's cruel and cold to convince others that they don't control their feelings.

Somebody once said that philosophers are adults who persist in asking childish questions. This doesn't deride philosophy. To me, it speaks of the importance of philosophical questions to life in general, to the young and old alike. Similarly, adults shouldn't ignore the wisdom of a proposition just because children mostly make it. Thus I teach by example, *sticks and stones will break my bones but names will never hurt me.*



SHAHEEM
JOYA

LONG LIVE FREEDOM!

Dear Friends,

Yes, I'm writing about the cartoon. But this is not only about the cartoon. First of all, I just don't see how it's so bad. However, that is my personal opinion and I'll be ok if you don't share it.

What I wish to talk about in this article is freedom of expression. It is one of the pri-

mary reasons why my family immigrated to Canada. I am disappointed, however, to see how the exercise of this basic right by Ms. Nova has led to her public shaming in the Quid. Furthermore, the onslaught of letters expressing anger, frustration and pain are one thing, but the not-so-thinly veiled demands for a public apology from Ms. Nova are too close to a witch-hunt for

my taste. Whatever happened to 'I may not agree with what you're saying, but I'll defend to the death your right to say it'?

I cannot overstate the vitality of being able to express oneself. It is the only means of communicating with those who share this time and space with us, and the only way to resolve the problems that arise as an inevitable consequence of

communal life. But I fail to see a corollary right to exact, through public coercion, an apology from those who express something that we may find distasteful.

What I find problematic about the responses to the cartoon is that they all seem to be based on an 'objective' view of what is funny, appropriate or correct in a student run faculty paper. And, as in all other settings, I find this certainty in an 'objective' standard rather troublesome. The history of civilization is a witness to successive conceptions of what is objectively right or wrong in society. Even theories of the objective nature of reality have constantly shifted through time: there was a time when all matter was thought to be composed of only four elements, now we have Mendeleev's table and so-

meday in the future we'll have something else.

I strongly believe in subjectivity, I see it flowing directly from our inherent individuality. But I also believe that we can harmonize our individual conceptions with others through communication. Since expression is essential to this process, any constraints on this basic right are abhorrent to me. After all, I grew up in a place where the public expression of my belief in evolution would lead to certain death. I do not want to equate evolution here to the supposed racism of the cartoon. It is rather the principle that, as individuals, we are all free to express ourselves in what we hold to be a democratic society. I support Ms. Nova's right to submit the cartoon and to defend her motives for

doing so. I equally support the right of others to criticize it. But I can never support the express and implicit calls for a public apology from Ms. Nova contained in the barrage of responses to the cartoon. I think it is unduly coercive and does not respect Ms. Nova's right to choose for herself.

I for one take her at her word. If she says that she did not mean the cartoon in a racist way, why should I not believe her? I have no way of knowing what motivated her other than listening to her reasons, because I fail to see how the cartoon is 'objectively' offensive. It may have offended YOU, but that has as much to do with who you are as with what the cartoon is depicting.

Law IV & Law I

JOSEPH PAUL
FLOWERS &
PATRICIA
NOVA

RECONCILING

"...breakdowns come and breakdowns go, so what are you going to do about it, that's what I'd like to know. You don't feel you could love me, but I feel you could." – Paul Simon

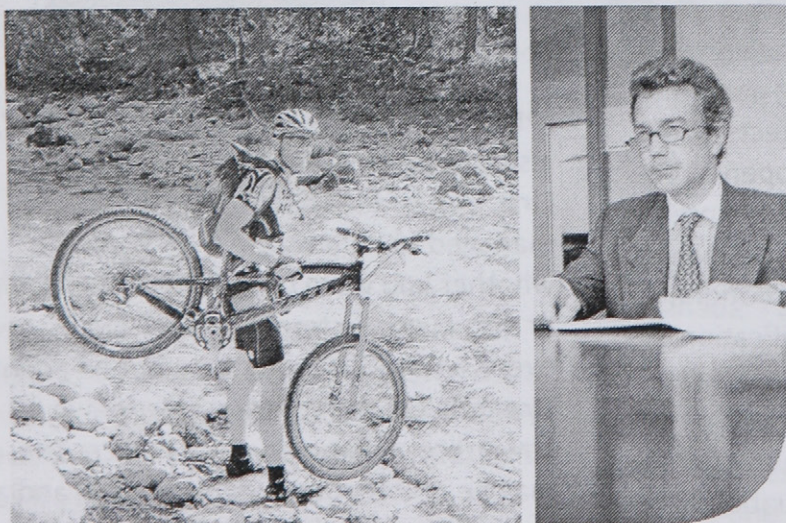
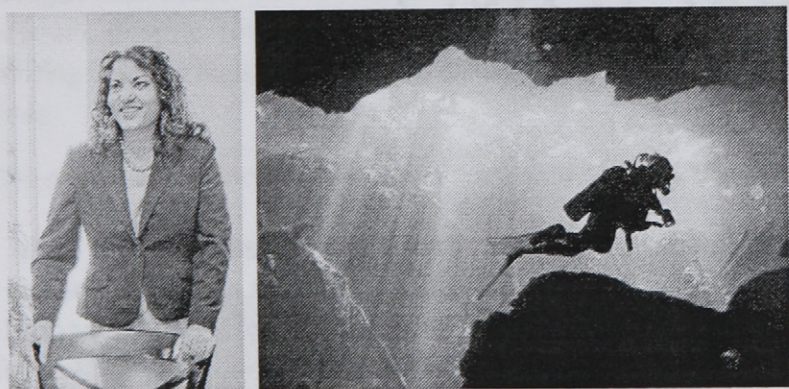
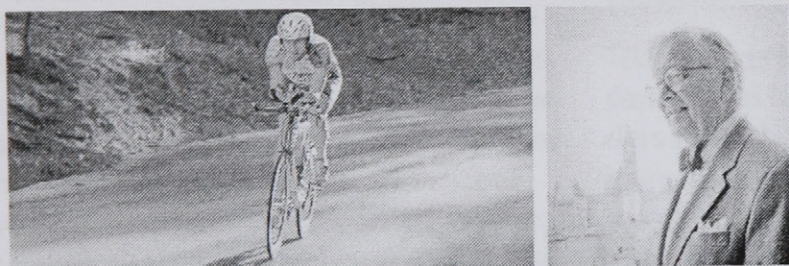
On November 14, we enjoyed lunch together, at a meeting hosted by McGill's Aboriginal Law Students Association. Other people were present, but we want to jointly address our Faculty to tell our story of how we are beginning to understand each other.

[JPF] After an inadequate articulation of my views on November 10 in the basement of New Chancellor Day Hall, I heavily and precisely criticized Patricia's cartoon and response in last week's Quid. I believe

it is wholly acceptable and desirable to engage with our emotions in our work. It is only a part of the process, however. It cannot be allowed to dictate our actions alone, for unchecked emotion can cause great damage. Strong emotional expression may shock the offending party into realizing the extent of the effects of the offensive action, and this happened between us. I swore at Patricia to express my anger at her words and actions. It was a clear expression of the raw emotional effects the cartoon and its justification, had on me, but the format of my message only served to polarize. Patricia (rightly) accused me of being vulgar and offensive; I said "so are you." In this situation, (these words inspired by Paul Simon) it was clear that I was blown apart, and all who were

present could surely feel the wind blow through the basement of NCDH. Importantly, the emotional response triggered reflection for both of us, and we went off in our own directions to think about the confrontation.

[PN] When face to face with "the other", a sequence of realizations takes hold. First, you suddenly realize that you have managed to help create that "other" whether you were conscious of this power or not. I use the term "power" but in every sense, this is anything but an act of strength. On the contrary, it is spawn of cowardice, or ignorance, or malice. These may be unintended, unanticipated, and at times (I dare think, more frequently than not), unnoticed. The second thing that



LES GRANDS AVOCATS DU MONDE SONT AVANT TOUT DE GRANDS CITOYENS DU MONDE.

À notre cabinet, vous travaillerez avec des avocats ayant conclu des transactions de plusieurs milliards de dollars, d'autres ayant représenté des premiers ministres et d'autres encore ayant plaidé devant la Cour suprême des causes qui ont fait jurisprudence. Qu'ils courent des marathons, vivent de grandes aventures ou se dévouent pour des causes humanitaires, vous verrez que les membres de notre équipe comptent plusieurs êtres d'exception. Chaque année, dans le cadre de nos programmes d'emplois d'été et de stages, nous cherchons à identifier des étudiants qui, tout comme nous, conjuguent leur coup de cœur pour le droit à un profond désir de se surpasser.

Nous ne sommes pas seulement à la recherche d'avocats exceptionnels, mais surtout d'êtres d'exception.

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grips you, is that this “other” is angry, hurt, frustrated and that an invitation to examine the reasons for these feelings in some sort of detached and rational manner is an addition of insult to injury. There is a time for dry, intellectual discussion and there is a time for sympathy. Confusing this can be detrimental.

[JPF] When we came back together at the ALSA lunch of November 14, I apologized for swearing at Patricia. She apologized for causing offence. We humbly accepted each other’s apologies. We took the time to speak very deliberately and to listen carefully. We heard each other and we began to understand.

[PN] In this spirit comes the first remedy: Listen. Apologize. Shut up. I feel there are two tiers to apologizing. The first is external and deals with the effect your act had on another. Insult is in the eyes of the beholder; there is no standard schema for naughty and nice. The responsibility is to apologize for the effects first and formulate explanations and defenses later. No matter how unintentional the insult, no matter how imperative the excuse, an apology trumps this; it is not an admission of guilt but a sign of respect for the feelings of another.

[JPF] In the Quid 33:9, at 7, I wrote: “[Taking the time to listen to another person with whom I am in conflict] is sometimes a long and difficult process, but the results are worth it.” The experiences I’ve had with Patricia in the past week have confirmed the power behind these words. While we have begun a process of listening and understanding, it is important to underline the fact that reconciliation is not necessarily something that happens and then is completed. In Quid 33:5, at 23, I wrote: “To me, reconciliation means the process of bringing peace and harmony back to relationships that were once, but no longer are, peaceful and harmonious.” So, we continue, constantly aware that the process of moving on is the process of reconciliation. We will make mistakes again, but when we do, we will know that peace-building is possible if we take the time to listen and understand.

These are lessons that we will carry with us far beyond the relationship we have as individuals.

[PN] Second tier of apology: from sympathy to empathy. Opening the lines of communication, allows you to take a step out of the confines of subjective experience. Objectivity isn’t good enough anymore, you can actually take a step beyond and embrace intersubjectivity through which to view your actions. Only honest, candid, and respectful sharing can ensure this exercise. Suddenly, you can hear yourself thinking: “when in my skin, I do not see it - but stepping into the ‘other’s’, there it is!” And in such a way, a cause can be identified and dutifully regretted. If you ask me, this is the more important of the two tiers; it is not only a declaration of respect and a sort of formal understanding but has the power to prevent future error as it is aimed internally. It is important to say “I’m sorry you feel this” but even more important to say “I’m sorry I caused that”.

[JPF] Why tell you this, Quid reader? Patricia and I have been through a highly public dispute in our community. The cartoon, the objection to it, the justification of it, and (some of) the avalanche of response appeared on these pages. Students in the basement of NCDH heard our exchange. This situation triggered a national and international response (I solicited submissions to the Quid from my network of Indigenous and non-Indigenous individuals). While I stand by my critical words in last week’s Quid, to leave it there would not be an accurate portrayal of where things stand today. This would not be fair. Furthermore, this is the last Quid to be published while I am a student here, and I wanted to leave on a good note. Imagine this: I could have sent the cartoon to a human rights commission, or brought a complaint for offenses under McGill’s Student Code of Conduct, or sent it to the media. Earlier this semester, we watched our colleague and friend Anthony Morgan hit international airwaves with a story about Blackface at HEC. In the cartoon controversy, a friend of mine dared some

of the people involved to send the cartoon to the media and to various Aboriginal groups, and to see what would happen. I emphasize, this situation could have been much worse.

[PN] Thankfully, however, we sat at a big table and in a mutually humanizing, respectful manner allowed tolerance and understanding to triumph over pride and polarizing debate.

[JPF] Patricia and I saw the potential that this dispute had to ignite a lively discussion about what it means to work together and to listen, rather than to polarize, fight, and stop listening to each other. In Quid 33:5, at 23, I wrote: “Si on examine la réconciliation sous tous ces angles et niveaux, ça nous permet aussi d’examiner les relations entre, par exemple, le niveau personnel et le niveau international. Avant qu’on puisse agir sur la scène internationale, il faut avoir une fondation solide de soi-même ainsi que de sa communauté.” It is possible to change the way we relate to one another, to strive for peace-making in our broken relationships, and to bring that attitude to those levels that go beyond the individual. The results are indeed worth it. This experience has been a most extraordinary way to conclude my time here at the Faculty. I’ve heard people say that you don’t go to law school to learn the law. You go to learn to think like a lawyer. Patricia and I have worked together to live a real life dispute resolution in front of you, the reader. I feel like I now think like a lawyer. Patricia, welcome to law school. You’re in for a great time.

[PN] My McGill law school Personal Statement contained this little nugget of wit: “...there is always an element of a fight in law. As I mature, I realize that the purpose of a fight is synthesis, resolution, change...” That claim to maturity was not yet in its full bloom. So, here’s to dispute resolution and the budding of our new juridical characters! Thank you, Joseph, Eden, the McGill Aboriginal Law Students’ Association and all you upper-years that take the time to help guide and cultivate the awkward buds like me!

WILL
COLISH

HOW CAN LAW JOURNALS BE FOR SQUARES, IF LAW STUDENTS ARE SO WELL-ROUNDED?

Author's note: The views expressed in this piece are mine alone and are not those of the MLJ.

Reputations abound at the law faculty, and law journals bear their lot. Law journals may be the object of one student's aspiration or another's derision. One might think that they are a ticket to one's dream firm or clerkship; another might only see time wasted in the library dusting off old reporters that are only read by other law journal editors. I won't offer an opinion on this, but some (possibly self-aware) perspective might be worth sharing.

This past summer, the MLJ's French editor, Julien Adant, and I paid a visit to the Bibliothèque et Archives nationales du Québec à Montréal. Our goal was to locate 50 notarial acts from the 18th century on microfilm. All told, we had roughly 130 footnotes to verify for accuracy with these 50 sources. Each reel of microfilm contained about 300 acts arranged in chronological order. We had the dates that we were looking for but we could not read them on the microfilm because the script was illegible to our modern eyes. After two and a half hours we had not even found our first source. On the brink of abandoning the project, or at least Julien, I went for a break, hoping that he would have figured things out. To my pleasant surprise, with the help of a white-coated archivist—whose garb did not help me stray from the thought that Julien and I should be in an asylum—he did in fact strike a nugget of archival gold.

« Pis, as-tu trouvé quelque chose ? » I asked him upon my return.

« Oui, oui ! Viens-t'en vite ! Je l'ai trouvée, notre première source ! J'ai même corrigé une erreur dans le texte ! Regarde, l'auteur a écrit écyé avec une miniscule. Tu

vois, c'est clairement avec une majuscule dans l'acte ! » he announced.

He was genuinely happy. And I was too.

At times we are capable of recognizing how maddening our work is as editors; at other times we are just happy that one source of frustration has been eliminated, that one barely visible weed has been removed from the garden. Alas, one weed gone, we wipe our brows and move onward on our hands and knees, pulling unwanted greenery, one-by-one.

J.C. Oleson captures well just how nerdy, even nutty, law journal editors can seem in his essay "You Make Me [*Sic*]: Confessions of a Sadistic Law Review Editor."

When an editor discovers a proposition in the text that is not supported by the cited source, it's thrilling. It feels like a crime has been prevented. And when an editor discovers a grammatical error within a quotation, he or she can note this with the designation, "[*sic*]." This is positively elating.¹

While it is true that the labours of an average editor are often tedious, that does not mean that they are never illuminating, extraordinary, or thought-provoking. Julien and I will continue to have the kinds of conversations that we had at the archives; but we, and other editors, also have other very interesting conversations. When deciding on the speaker for the annual lecture, members at all levels of the journal's hierarchy deliberated on many important questions: Should we invite another Supreme Court justice with the risk of reinforcing the centrality of courts in our legal imaginations? When was the last time the lecture was given in French?

How many times has the lecture been about civil law, given that the initial hope of the *McGill Law Journal* was to provide a forum for scholarship about the civil law in English? Do we want the lecture to recruit new students with a high-profile speaker or advance legal scholarship through a more established academic? Are these two ideas mutually exclusive?

Many questions that are similar to these weigh on the editorial decisions that journal members make. Article selection is a process in which most editors take part. In this process one has to answer probably the most challenging question for any type of publication: Who is the audience? Managing editors, who face this question in a different fashion from regular editors, make the journal operate by raising and processing revenues, organizing events, and drafting contracts with distributors. They assemble an image of the journal that they can take to potential subscribers and sponsors and tell them, "this is what the journal is, and this is why it is important to you."

Law journals are not for everyone; but not everyone who is a member of one bleeds the black ink of its pages. They do different and exciting things. One of the reasons why they chose to become members of a law journal is perhaps because it is a different and exciting thing. However trying and time-consuming an elusive source may be, that type of work does not represent the life of a journal member. One is able to remain well-rounded.

1. JC Oleson, "You Make Me [*Sic*]: Confessions of a Sadistic Law Review Editor" (2003-2004) UC Davis L Rev 1135 at 1143.



McGill Law Journal

Revue de droit de McGill

Applying to Become a Member?

Vous voulez devenir membre ?

November 23, 2011 @ 12:30 pm

Room 201

The McGill Law Journal will be holding an information session on Wednesday, November 23rd at 12:30 pm in room **201**. Cette séance d'information aura pour but de discuter le cycle de recrutement annuel de la Revue qui débutera dès le 9 janvier 2012.

We will discuss editorial as well as managerial positions, along with the credit structure of this two year program. Si vous êtes intéressés, joignez-vous à nous le mercredi 23 novembre !



JOINT AUTHORS

WHY VOTING NO IS THE RIGHT THING TO DO

This week our Faculty will be holding a referendum on whether the LSA should take a position in support of MUNACA. Again, you ask? Funny enough, this happened already. Many of you came out to the Annual General Meeting. A resounding majority of you supported a motion directing our student association to take an active role in supporting the administrative staff who have been on the picket lines since September 1st. However, there is also a referendum being held on the issue this week, and it is important that your voice be heard. We would like to offer a few good and heartfelt reasons why we think it wise to vote "no" this week.

1. The AGM is a key time for the LSA to hear from the membership. What is the point of an AGM if the students are not empowered to make decisions?
2. Picking and choosing which issue was democratically decided smacks of an ulterior motive. Why is only one of the two motions passed at the AGM now subject to a referendum? Let's face it. This is not really about procedure.

3. MUNACA's demands are simply to have what most Montreal workers in similar jobs have enjoyed for years.

4. MUNACA represents the most diverse group of workers at McGill, and is comprised of a majority of women workers.

5. It just feels good. This time of year, doing things that make you feel good is pretty important. And it only takes a minute.

Sincerely,

Ruth Ainsworth (2L), Melanie Benard (3L), Dean Blatchford (3L), Venetia Boehmer-Plotz (1L), Dominique Boutin (2L), Luke Brown (4L), Pascale Cornut St-Pierre (3L), Alain Henri DesChamps (1L), Preeti Dhaliwal (3L), Nicole Duong (2L), Chris Durrant (2L), Benjamin Flight (3L), François Giasson (1L), Amanda Gibeault (2L), Annelise Godber (4L), Rachel Gotthilf (4L), Jesse Gutman (4L), Molly Joeck (3L), Jean-Marc Lacourcière (2L), Maroussia Lévesque (4L), Jean-Philippe MacKay, Nelly Marcoux (4L), Chelsea Moore (3L), Mark Phillips (1L), Katrina Peddle (4L), Vincent Riendeau (2L), Kirby Smith (2L), Katie Spillane (1L), Ceyda Turan (3L), Hannah Wizman-Cartier (1L), Garrett Zehr (1L)

NOTICE BOARD

THE LAW FACULTY NEEDS A NEW NOTICE BOARD!

Indeed, your 2011 Notice Board is retiring at the end of this semester. What does this mean? The Law Faculty needs YOU to take over this exciting position.

How is it exciting, you ask? The answer is four-fold:


- 1) Vous serez le/la premier/ère averti/e des événements qui auront lieu au sein de la Faculté ou sur le campus de McGill!
- 2) Vous serez le/la premier/ère à contacter les vendeurs de manuels et recueils de textes us-

gés au début du semestre d'hiver et d'automne 2012

3) Vous tiendrez une position à la James Bond: secrète et anonyme!

4) ...Ça paraît bien sur votre curriculum vitae!

Si cette opportunité vous intéresse, envoyez votre lettre de présentation (cover letter) avant le 27 novembre 2011 et VOUS pourriez devenir le Notice Board 2012! For any questions, please do not hesitate to send an e-mail to notice.law@mcgill.ca!



DAVID
GROVES

THE OPTIMIST

LEAVING IT UP TO CHANCE

Last month Justices Moldaver and Karakatsanis were appointed to the Supreme Court of Canada, offering us all a chance to muse on the murky and secretive way that we receive new judges. Our current nomination process begins with the government producing a “long list” of candidates. This list is passed to an advisory committee, composed of MPs, judges, and various other experts, who winnow it down to a “short list”, from which the government (the PM and the Justice Minister) chooses. Then, and this is a recent addition, the appointees appear before an ad hoc parliamentary committee, where they are questioned about their qualifications and opinions.

The Harper government has claimed that this committee has added transparency and accountability to what has long been a back-room process. Of course, when you consider that a) the committee’s conclusions have no binding effect on the government’s final decision and that b) the actual decision-making process still takes place behind closed doors, this argument doesn’t make a lot of sense. What accountability is added when the committee has no ability to hold anyone responsible? Bruce Rider has called the committee a “charade of accountability”; the Toronto Star, “an illusion”. I would liken it to a poorly-executed magic trick – like being asked if “this is your card” when you know they’re all aces anyway.

While I can’t speak to the qualifications of either Justices Karakatsanis or Moldaver, a system in which the government is given full authority to select the judges which are constitutionally required to rule on its actions has a lot of potential for abuse.

This is not a novel conclusion, of course, and many alternative schemes exist. In the US, Supreme Court nominees are subjected to Senate hearings and confirmation votes. Judges in some lower courts in America are elected by the public. As far as alternatives go, however, these two suffer from serious flaws. The Senate’s authority in judicial appointments has become a partisan nightmare, polarizing a body that must, to remain legitimate, be impartial. As for elections, they take money and clear, simple, populist stances to win – are access to campaign funds and monochrome thinking really traits we want in our judges? Elsewhere, like in the UK, a selection commission composed of sitting members of the Supreme Court and various other jurists does the deciding. Although this is the most palatable option, as it depoliticizes the appointment process, there is something disquieting about judges choosing new judges.

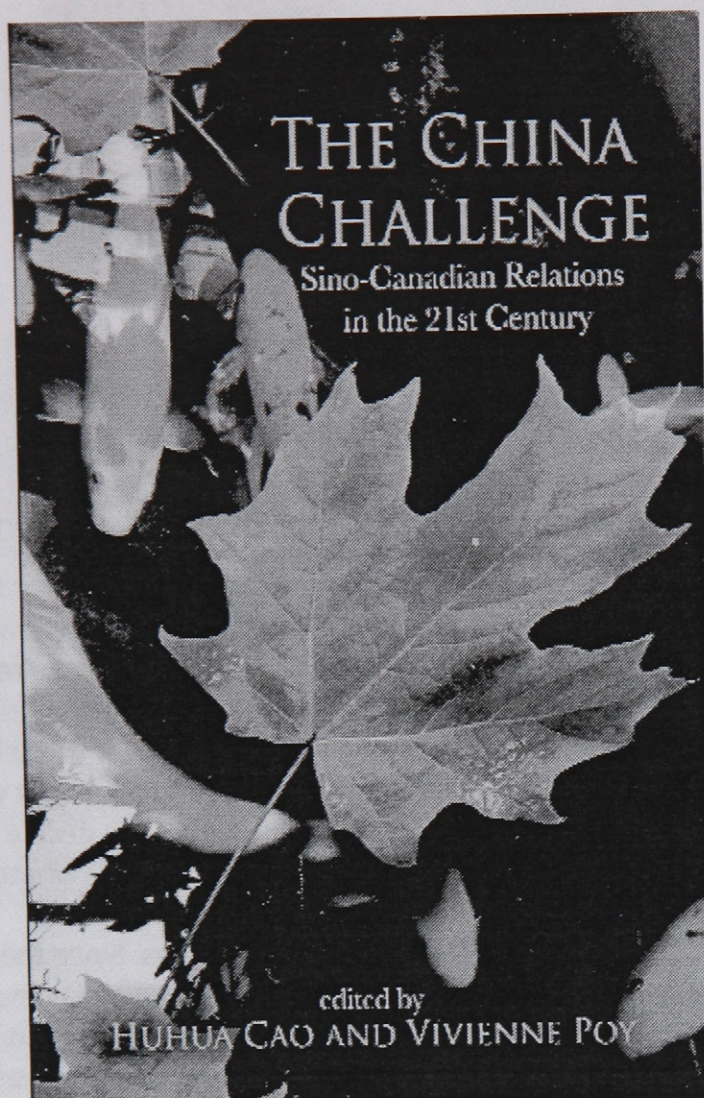
Beyond that, all these approaches share a common problem. In the appointment of individuals to a position where impartiality and neutrality are sacrosanct, we have to choose. And choice is, by definition, partial. The people who choose are making a value-based assessment and it is impossible to get a human being to make a choice that would be recognized by others involved as non-controversial. As long as we have human decision-makers appointing judges, they will never be utterly and completely impartial.

Now, if you’re hoping that I’m going to advocate for the creation of judge-appointing robots, I’m sorry to disappoint you. Other than R2D2 and C-3PO, most robots are horrible and would likely turn us all

into batteries. I am suggesting, however, that we should consider a judicial appointment process that removes the final decision from the hands of, well, everyone. Let’s let chance decide.

Don’t scoff yet! Randomness is a fantastic mechanism in situations where we recognize the inherent limitations of human partiality. Think of the story of the shipwrecked sailors, confined to a lifeboat with limited supplies. How do they decide who goes overboard, gets eaten, or whatever grim thing it is they have to suffer through? They draw straws. Since they know that no one there can make an unbiased, selfless decision, they leave it up to chance. Having grown up playing a lot of Dungeons & Dragons, I can tell you that there is inherent fairness in rolling the dice.

Now, I’m not saying that we should be working to divorce humanity from the law. Law is a human enterprise, and it requires a diversity of perspectives to function correctly. Nor am I advocating a completely randomized appointment process. Instead, I am positing that there is a moment, in all selection processes, where a final selection actually has to occur, and that this is a moment which will only be fair to everyone involved if it is not seen to be a selection at all. Maybe the Judiciary, Parliament, and Cabinet can all submit 5 or 6 names, write those names on balls, and toss them in a bingo machine. We might dislike the results, but it’s not like we can accuse the bingo machine of corruption or favouritism. Luck favours no one, not even the bold.



THE CHINA CHALLENGE

SINO-CANADIAN RELATIONS IN THE 21ST CENTURY

SENATOR VIVIENNE POY
 PROFESSOR HUHUA CAO (UNIVERSITY OF OTTAWA)
 PROFESSOR JACK JEDWAB (ASSOCIATION FOR
 CANADIAN STUDIES)
 PROFESSOR JUAN WANG (MCGILL UNIVERSITY)
 PROFESSOR FRED BILD (UNIVERSITÉ DE MONTRÉAL)
 PROFESSOR GRACE FONG (MCGILL UNIVERSITY)
 PROFESSOR ANTONIA MAIONI (MCGILL UNIVERSITY)

BOOK LAUNCH

2:30 - 4:00PM NOVEMBER 23, 2011

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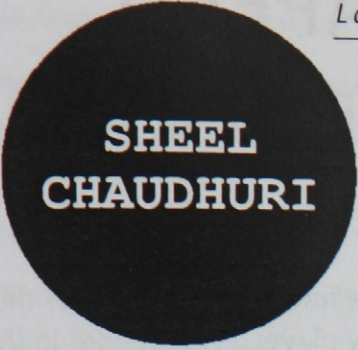
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**SHEEL
CHAUDHURI**

MY INFLATED 1L EGO v. REALITY'S SENSE OF HUMOUR

I'm roughly 2.5 months into my life as a law student. In this time I have, not so gradually, become unable to complete any human communication without some reference to consideration, le Code civil, or the reasonable man. Frankly, I'm acutely aware that I've become increasingly unbearable to anyone from my former non-law life (which, I'm told, did apparently exist).

At this point, I'm just hoping my friends and family will accept me when I show up on December 23rd incoherently spouting legalese (which the populace of my rural Ontario hometown, God bless their hearts, will probably assume is French). In some form of subconscious compensation, however, I've convinced myself that this is all worth it. I am, after all, joining a privileged group within society...an exclusive club, an elite guild of professionals worthy of special praise, right? Every time I try to inflate this sense of elitism, however, life's cruel system of checks and balances, or just my patented sense of puritanical repression, rears its smirking head. Take a typical day in my life as a 1L:

The Metro

I proudly strut onto the train with my brand new sweater blazoned with 'McGill Law' for all to see. Yes, beautiful people of Montreal, I, a law student, walk amongst you – feel free to be inspired. Oh, is that a furtive glance I see you making, attractive stranger? I'll slowly turn my profile so you can be fully impressed and quickly catch a reflected glimpse in the glass. It's then, at the zenith of my pride, I notice the clearly visible remnants of breakfast in my infernal Movember appendage. Oh humble pie, your sweet familiar taste.

The Class

Well at least, at the sacrifice of all sleep/exercise/normal eating habits, I've got my readings done today. I'm a legal

machine – today I'm going to make some seriously insightful points. My soaring intellect will finally take off to cheers and aplomb from my adoring classmates. What's this now, a constitutional pop quiz?! OK, no problem. I did all the reading – my intellect will just have to soar in written form. "Turn over your papers, 5 minutes starts now." Question 1...oh tabernacle.

The Court

It's my first time in an actual court for a foundations assignment. Ah, this is where I belong, the real world among my people. I'm a law student and this is my professional kingdom – my rightful inheritance. I'll try to make eye contact with the judge for our mutually knowing head nod. Oh goodness who's that? What, they actually bring the guy in handcuffs this close to me? Oh God, oh God, he's making eye contact. Abort, abort, look at the floor, look at the wall and. maybe I'll see my family again.

The Sponsored Coffeehouse

Why yes Monsieur, I will have another glass of the red. Oh I would love to directly inject pesto down my throat with your chic hors d'oeuvre plastic syringe thing. Foie gras? No thanks, I'm more of a caviar man myself. Hell yeah, corporate overlords, you know you want me to work for you. Oh zut alors, it's 7:30 and I'm perilously close to swimming beyond the shallow waters of this commercial buzz. My family is visiting in a couple hours and my apartment is a mess. Within 1 hour of being fed from the silver spoon I'm back among the 99%, on all fours, scrubbing a toilet. Thus the mighty fall – the cognitive dissonance of a 1L.

Two hundred years from now, when historians are trying to consolidate my disastrously tyrannical reign as the first Canadian dictator, I only hope they show some sympathy to the fact that I suffered on my way to the top.

VP INTERNAL

UN TOUR DU CHAPEAU POUR NOS CHAMPIONS!

La session tire déjà à sa fin et il me fait plaisir de vous faire part de grandes choses accomplies par vos collègues et amis ici, à la Faculté de droit. Effectivement, vous pouvez être fiers d'être représentés sur les terres obscures de McGill, à l'extérieur de Chancellor Day Hall et Nahum Gelber, par de nombreux athlètes de calibre olympique dans les compétitions intra-murales.

Commençons sans plus tarder avec les divers résultats!

Au soccer, notre équipe masculine intermédiaire « North Peel FC » a fini avec une respectable 19e place, avec seulement 6 buts accordés! De plus, notre équipe

mixte « Ambulance Chasers » a fini la saison sans aucune défaite! Enfin, un étudiant de la Faculté s'était aussi camouflé dans une autre équipe masculine intermédiaire, les « D Dragons », qui s'est rendue en demi-finale du championnat et a fini en première place du tournoi continu avec 15 points!

Next up, intermediate ball hockey where the "Constitutional" 3L team (with a 2L girl...) finished 13th and the "Torts Illustrated" 2L team finished 18th against lower campus bullies.

In ultimate frisbee, the "Disoriented" coed competitive team of law students and graduate physics students finished

2nd in the final ranking, but was defeated (by varsity players, I must add) in the semi-finals of the championship.

Puis, au basketball, notre équipe intermédiaire « Supreme Court » poursuit sa lancée de 4 victoires et se situe présentement au 11e rang. Les parties se poursuivent jusqu'en décembre.

Enfin, notre équipe de hockey sur glace « Chico Resch » a une fiche de 2-2, ce qui la situe au 5e rang pour la saison qui se déroule toute l'année.

So keep on cheering for your proud representatives who keep on going, and give a high-five to those who have finished their season!

SAO

INSTRUCTIONS ON TAKE-HOME EXAMS

Please visit the SAO web site information on various items: <http://www.mcgill.ca/law-studies/information/>. All enquiries may be forwarded to info.law@mcgill.ca, please enter a descriptive topic in the email subject line.

Take-home exams for both Undergraduate Students and Graduate students must be picked up and handed in within the examination periods. Students will find all exam schedules available for download on the Current courses & registration information page.

Take-home exams must be picked up from the SAO between 10:00 and 16:00, Monday to Friday, except for 22 December, when the SAO will close at noon.

Take-home exams must be emailed to SAOassignments.Law@mcgill.ca. You may submit at any time of the day or night, any day of the week, including weekends, as long as you respect the time constraints of the exam.

The Law Library will not be distributing take-home exams, nor accepting returns.

When you email your exam, be sure to do the following:

1. Make sure you have your Exam Number (4-digit, term specific) on hand;
2. When you save the file, include your Exam Number, the course title and the term in the file's name (example "1234 - Business Law - Fall 2011.doc");
3. Follow the instructor's indications as to file format (e.g. MS Word, PDF, or other);
4. Include the Cover page for written work [.doc] in your

take-home examination;

5. Indicate the name of the instructor and the name of the course in the subject of your email (this so we can sort the incoming exams);

6. Send yourself a copy to verify the submission;

7. Do not copy your instructor on the email;

8. Remember you will not receive a confirmation from the SAO.

9. The email is SAOassignments.Law@mcgill.ca

Students are also advised of the following when planning for a take-home examination:

1. Check the duration of your take-home examination (6 hrs – 48 hrs). If you are unsure, ask the instructor to clarify this in class;

2. Take-home examinations are individual exercises, and so confidentiality of questions and answers must be maintained, unless specific instructions are provided on the exam regarding student collaboration;

3. Students are encouraged to read the McGill's Student Academic Rights and Responsibilities on Academic Integrity: Plagiarism and cheating.



LIBRARY NEWS

NEW!!!! Rare Books Room Tours Offered

If you would like to know what kind of treasures are kept in the glass enclosed Rare Books Room on the second floor of the Law Library, sign up for a half-an-hour tour of the Law Rare Books. Tours will take place on Fridays at 12:00. To sign up for a tour please send a request to Svetlana Kochkina, svetlana.kochkina@mcgill.ca, and we will notify you when we will have a necessary number of participants.

European Court of Human Rights

European Court of Human Rights (ECHR) in Strasbourg has published a series of Factsheets that describe important jurisprudence of the institution on a number of subjects, such as Children's rights, Collective expulsions, Forced labour and trafficking, Freedom of religion, etc. You can find the factsheets here:

<http://www.echr.coe.int/ECHR/EN/Header/Press/Information+sheets/Factsheets/>

Reminder: Westlaw new features

- Google-like "Did you mean?" to deal with misspelled terms
- Suggestions of related keywords to add to the search

- "Results Plus" to recommend additional results
- The ability to sort case law noteup results by citation frequency

Thieves in the library

The exams time is approaching, so more and more students are spending most of their study time in the library. We would like to remind you that the Law Library is a public place where anybody (not just McGill students) can have access during daytime. Please do not leave your belongings unattended, when you go to the cafeteria for a little break, as they could be tempting for somebody.

New lamps

Finally, we received and installed the rest of the table lamps on the second floor which should be quite useful now, when the evenings are becoming longer and darker.

In this column, we would be delighted to answer all your library-services-related questions. Please send your questions to Svetlana Kochkina svetlana.kochkina@mcgill.ca, Liaison Librarian Nahum Gelber Law Library.

**VP
INTERNAL**

NEWS FROM THE CAFETERIA

Over the past few weeks, I have met a few times with Aramark's managers on various issues. I am using this last publication of the Quid to let you know the latest news.

Tout d'abord, je tiens à vous inviter cordialement à l'événement pour la promotion du Développement durable organisé par Aramark, en collaboration avec le LSA. L'événement se tiendra le mardi 22 novembre de 11h à 14h, dans la salle à manger de la cafétéria. Cette journée spéciale fera la promotion de produits locaux, végans et équitables. Vous aurez la chance de goûter au café équitable que j'aimerais introduire à la cafétéria, sur recommandation d'étudiants. Il y aura aussi un tirage vous donnant des certificats-cadeaux dans des boutiques spécialisées! Plusieurs autres activités interactives vous seront aussi proposées.

In other news, Gabriel, the manager of the cafeteria for the past years, is leaving us for a promising job opportunity. I personally want to thank him for his service here, as he was very dedicated to students' concerns and tastes. He is being replaced by Scott, a very outgoing manager, who I am sure you will appreciate. Be ready to hear his morning songs to welcome you in his cafeteria!

Ensuite, comme l'indique la publicité incluse dans le Quid, vous économisez 25 cents à chaque fois que vous utilisez une tasse réutilisable pour votre café ou thé. De plus, durant les heures spéciales, vous pouvez même sauver 30 cents! Il est aussi possible de vous procurer à la caisse une carte de primes, qui vous donnera un café ou thé gratuit après en avoir acheté 6 en utilisant votre tasse réutilisable!

We are also working very hard on new deals and lower prices. We are still waiting for an offer from Aramark on possible price reductions, even though I don't think it's going to happen before the end of the semester. However, we're working on combos with a beverage included, and we're pushing to get them as soon as possible.

Mes prochaines revendications auront trait au café biologique et équitable, des prix réduits pour toutes les sortes de café, les spéciaux du jour et de nouveaux produits.

I am also working closely with the Green Committee to make a plan to introduce reusable dishes. More news is to come on this matter. Unfortunately, the university's

compost system is overloaded, receiving too much pre-consumption compostable waste. McGill and Aramark are working together to increase their capacity to compost pre- and post-consumption waste. More news on that too!

As usual, keep sending me comments and suggestions at vp-internal.lsa@mail.mcgill.ca. It gives me something concrete to tell Aramark when we meet, and they are actually receptive to your concerns. Both positive and negative feedback are welcome on all matters: food, atmosphere, prices, employees, etc.

I hope you are happier and happier with your food now!



Drink to the Earth!

Honor Mother Earth by using a reusable cup or mug!

Get Your Frequency Cards & Save \$0.25
Everytime You use a Reusable Mug

Happy Hour Special!!
Save \$0.30 when you use a reusable mug
Mondays - Fridays
8:30am - 9:30am & 2:00pm - 3:00pm



JESSICA
MAGONET

Law I

L'ORANGERIE

Let us undress this museum
strip the stretched canvas from the wide white
walls
unhook the heavy frames
dismantle the sculptures

unburden this place
of history
it cannot hold the vast visions of men driven mad
by beauty
this architecture must be emptied

come
sweep the dust of dreams
from the trodden floor
drain the watercolors out the windows
and into the landscape

watch scattered sketches
seize the wind
and soar
like seagulls
to a distant horizon

listen
to the building exhale
as we shut the door

COURSE EVALUATIONS MAKE A DIFFERENCE!

This year, the course evaluation period runs **November 14 – December 22, 2011**. This way, you can complete the course evaluations after your final exams.

Here are 5 reasons, according to your VP Academic, why you should complete your course evaluations:

1. Because your evaluations are completely anonymous, and are not linked to your ID number.
2. Because it only takes 5-10 minutes.
3. Because for most professors, it's the only opportunity to gain insightful and thoughtful assessment regarding the course.
4. Because it would make your VP-Academic very, very, very happy.
5. Because your voice must be heard!

ASSOCIATION DES
ÉTUDIANT(E)S EN DROIT

DE L'UNIVERSITÉ MCGILL

LSA

AÈD

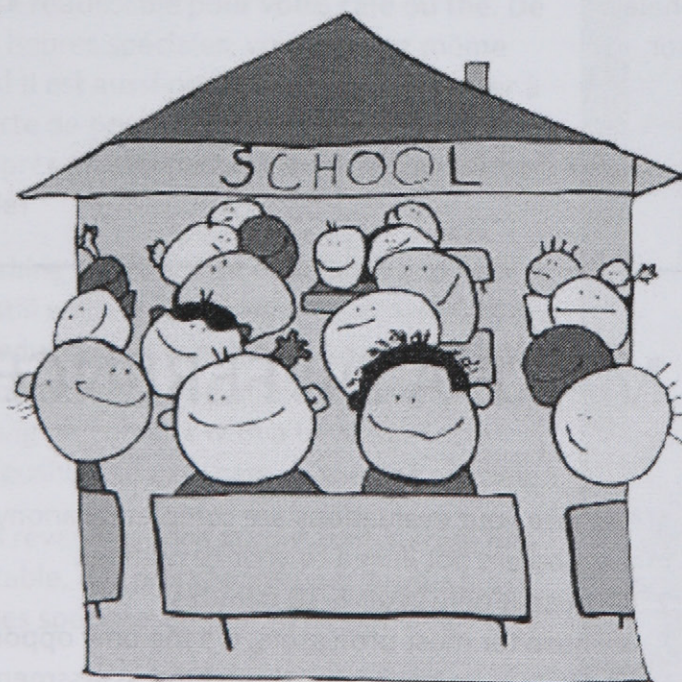
MCGILL UNIVERSITY

LAW STUDENTS'
ASSOCIATION

LAW PARTNERS LUNCH

Mercredi le 30 novembre
12h30 à 14h30

Whether you're a 1L, 2L, 3L or 4L, get in touch with
your old/new law partner and catch up before exams!



Thomson House
Ballroom

LUDOVIC
BOURDAGES

Law I

À COEUR OUVERT

Je suis entré à l'urgence
mon cœur crachait du sang
que ma bouche ravalait
entre deux bouffées de souvenirs

branché à une machine
le cœur en respiration artificielle
je fixais le vide
derrière les sarraus blancs

à coups de couteaux
à coups de ciseaux
mon cœur mutilé
résistait

rien à faire

on m'a pris le cœur
dans des gants en plastique
et on l'a jeté avec les autres
en salle d'attente.

Law II

MOLLY
KRISHTALKA

FOOD FOR THOUGHT

Ces jours-ci, j'ai l'impression que tout le monde vit à la bibliothèque. Même si Super Sandwiches et Subway sont situés tout près, on se lasse au bout d'une semaine de manger des sandwiches! Au lieu de payer pour un souper peu satisfaisant chaque soir, pourquoi pas préparer vos repas vous-mêmes?

Easy to make and even easier to store (make it in bulk, freeze it, and defrost it as you go!), this stew is the perfect exam-time recipe. Ten minutes of preparation and ten minutes of active cooking leaves you with one hour of passive cooking (also known as summary-making time!). This recipe is also extremely flexible—feel free to add red or black beans, celery, beets, etc. The best part: the flavour of the stew actually improves with time! One note: the spice-averse should consider dialing down the cayenne—this stew has an unapologetically spicy kick.

SPICY VEGETABLE STEW

(inspiré par le ragout aux fèves rouges du New York Times)
(6 portions)

3 tablespoons olive oil
1 medium onion, diced
4 carrots, peeled and diced
3 bell peppers, diced
4 garlic cloves, diced
2 tablespoons sweet paprika
1 teaspoon smoked paprika
1 can diced tomatoes
5 cups chicken broth
2 teaspoons cayenne pepper
2 tablespoons balsamic or red wine vinegar
Salt, to taste
Yogurt or sour cream, to top (optional, but amazing!)

Heat the olive oil in a large pot over medium heat. Add the onions, carrots, and bell peppers, and cook until softened, roughly 8-10 minutes. Stir in the garlic and paprikas, and cook for an additional 1-2 minutes. Add the diced tomatoes and chicken broth, partially cover, and let simmer for 1 hour. Add the cayenne, balsamic vinegar, and salt, and let simmer partially covered for an additional 10 minutes. Enjoy!

L'IMPÔT SUR LA BARBE

Alors que les contestations sur la hausse des frais de scolarité vont bon train sur le campus de McGill et ailleurs au Québec, je me permets de souligner, sans affirmer ma position sur la question, que l'éducation est une dépense plus que légitime à mon sens (que ce soit le contribuable ou l'étudiant qui paie la note en bout de ligne). Je le mentionne parce que, autres temps et autres lieux aidant, il y a parfois eu des taxations qui sembleraient beaucoup moins raisonnables pour l'observateur contemporain. L'impôt sur la barbe n'était pas la moindre d'entre elle.

En effet, tandis qu'en ce mois de novembre, bon nombre de jeunes hommes participent à une collecte de fonds pour financer la recherche sur le cancer de la prostate en laissant abondamment pousser leur moustache, il fut des contrées où le phénomène inverse existait : il fallait payer pour afficher sa pilosité faciale.

La première mention de ce phénomène fut rapporté sous l'Angleterre d'Henry VIII puis de sa fille Elizabeth Ire : cette taxe variait selon le statut social du barbu. C'est cependant dans la Russie du tsar Pierre le Grand, en 1704, qu'une telle taxation fut la plus marquée.

J'entends déjà le lecteur naïf s'indigner : comment ! Des états aussi riches et puissants que l'Angleterre du XVI^e et la Russie du XVIII^e siècles pouvaient-ils être à ce point en difficulté financière qu'ils dussent recourir à des taxes aussi farfelues, et sexistes par-dessus le marché ? Camarades, c'est intolérable ! Occupons Londres ! Occupons Moscou !

La vérité, c'est que ces impôts sur la barbe, loin de chercher à renflouer les coffres de l'État, étaient l'expression d'une volonté toute politique, celle de réguler l'apparence des hommes. Dans le cas de la Russie, cette mesure particulière s'inscrivait dans un projet beaucoup plus vaste de modernisation du pays. Il faut savoir qu'à l'accession au trône de Pierre, la Russie était un État qu'on ne permettra de qualifier d'arriéré, lorsque comparé à ses puissants voisins ottomans, scandinaves et ouest-européens :

pas d'université, de scientifiques, de marine ou d'armée professionnelle, mais plutôt une nation soumise au joug d'une Église et d'une noblesse très conservatrices. Pierre lance alors sa Grande Ambassade, voyage en Europe de seize mois dont l'objectif diplomatique ne sera pas atteint, mais qui lui permettra d'observer le mode de vie qu'il désire instaurer chez lui. Sa politique d'occidentalisation de la Russie visait à faire entrer sa nation dans la cour grandes puissances européennes, ce qui nécessitait selon lui de faire table rase de nombreuses coutumes « rétrogrades » de l'époque : outre le costume occidental qui sera imposé en remplacement du caftan (longe et large tunique traditionnelle,

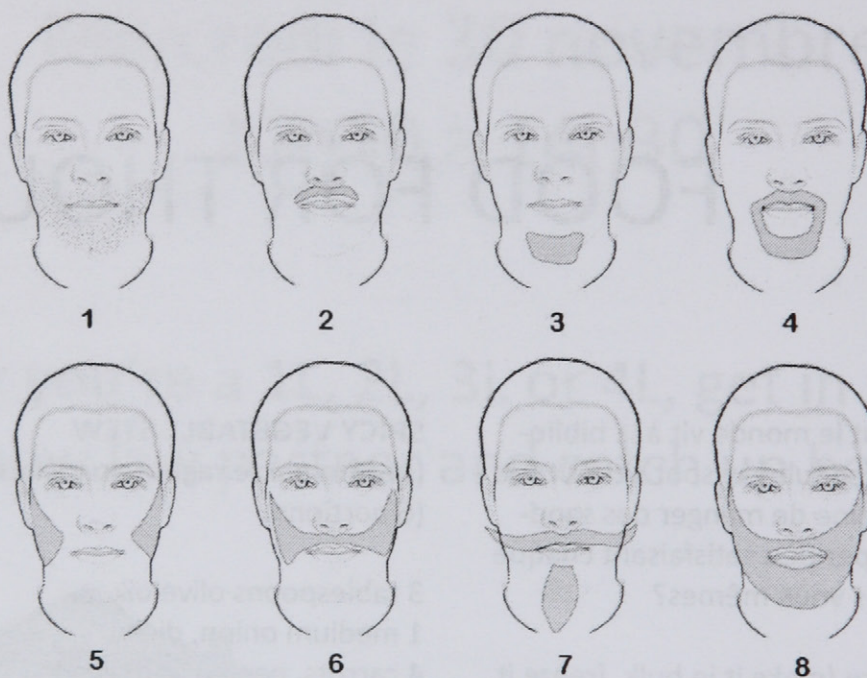
très portée alors), il sera naturel de faire disparaître les imposantes barbes russes.

Il importe de mentionner qu'à cette époque, les hommes russes étaient encore plus attachés à leur barbe que les nains de Tolkien : non seulement elle était pratique pour se tenir le visage et le cou au chaud durant les froids hivers russes, mais elle avait également une portée toute chrétienne à cause de la ressemblance qu'elle donnait avec les représentations des saints et des patriarches sur les icônes religieuses. C'est pourquoi les hommes en prenaient le plus grand

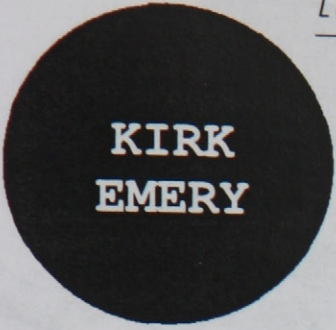
soin, tâchant de conserver le moindre poil alors qu'ils peignaient et lissaient constamment cet objet de leur fierté virile.

C'est par oukase (décret, édit) que Pierre, inspiré par des ciseaux ramenés de son passage en Hollande, impose sa vision d'une Russie aux mentons lisses. Accompagné de ses bouffons, il alla jusqu'à s'improviser lui-même barbier, et n'hésita pas à en poster de véritables aux portes de Moscou pour que tous les passants soient rasés en bonne et due forme !

Pour ceux et celles (mais surtout pour ceux) qui résistaient, on prévoyait alors le fameux impôt sur la barbe, proportionnel, comme plus tôt en Angleterre, à la situation sociale du barbu. D'un demi kopeck pour les paysans, il passait rapidement à 30 roubles pour les laquais et cochers, 60 pour les commerçants et



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http://commons.wikimedia.org/wiki/File:Baerte_ohne_text.jpg



KIRK
EMERY

ATTENTION 1Ls

Note: I published this last November and somebody asked me recently why I didn't publish it again for this year's 1L's. I do what I'm told, so here it is.

Right about now many of you feel wretched. You feel like you're not learning to swim in this sea of legal jargon and that you're sinking while your peers swim to some far off finish. Unfortunately for you, you don't know how normal you are, and that law school doesn't need you to feel upside down.

It's no coincidence that 1L rhymes with hell. Wait a minute, so does 2L, 3L and 4L. No matter, 1L is the worst of it. And first semester of 1L takes the cake. A cloud of uncertainty about your potential for law school success obscures how much you've actually learned. This adds anxiety to an already angst-filled experience.

Warning: this is a plot spoiler. I'm writing a glimpse into your future. You'll feel stressed, write the exams, and wonder

how poorly you did on them over holidays. When the grades are released in January, you'll open the electronic folders and search the spreadsheet with shaky hands and sweaty palms for your identification number. I remember doing it. And my peers remember doing it. Once you find your number and trace your finger towards its corresponding mark, your tension will ease. You didn't do as well as you would have liked. But you could have done much worse. You see, the grading curve is super steep: few students get straight A's, few get straight C's, and D's are a true rarity. Most get B's, with an A or a C tossed in. No sweat. Something similar will happen next semester. And the next. To the remarkable end of two McGill Law degrees and brighter skies ahead.

Sometimes scholars from different traditions and eras stumble across similar ideas. The 16th century philosopher Spinoza and the 19th century psychoanalyst Freud offer a similar message. Some Buddhists might have said this too.

They all say: Identify the source of your suffering and realize that this source doesn't necessitate suffering. In your case, the source of your feelings is probably your perceived incapacity to succeed in law school, and your suffering is the storm of anxiety and sadness that brings.

Notice that the source of your suffering and your suffering itself are distinct. On the one hand is your perceived incapacity to succeed, and on the other is how that makes you feel. Imagine separating those two parts. Then imagine existing without the negative feelings part. Then exist without the negative feelings part. The product of all this is you in law school without suffering.

That is the point: you can exist without suffering. I'm offering this message because I wish I had realized it 24 months ago. Relax, read a novel – you'll do fine.

CONTINUED FROM PREVIOUS PAGE

courtisans, et 100 pour les hauts fonctionnaires et les membres de la noblesse. Le réfractaire se voyait alors remettre une sorte de « reçu », un jeton de bronze portant l'image d'une barbe et la mention « la taxe a été perçue », accompagnées parfois du moto « La barbe est un fardeau inutile », et que chaque barbu était tenu de présenter à un contrôleur à l'entrée de la ville. Il va de soi qu'une telle mesure fut particulièrement impopulaire, surtout chez les paysans, et encore plus au sein du clergé orthodoxe. Concernant les prêtres, le tsar finit par faire une concession, leur octroyant par un nouvel oukase une dispense de la taxe tant abhorrée. Toujours est-il que ladite taxe, renouvelable annuellement, représentait une charge trop importante pour que le peuple résiste longtemps avant de finir par se raser. C'est le petit peuple, surtout, qui mit du temps à voir le bien-fondé de cette mesure esthétique, ce qui poussa Pierre à leur

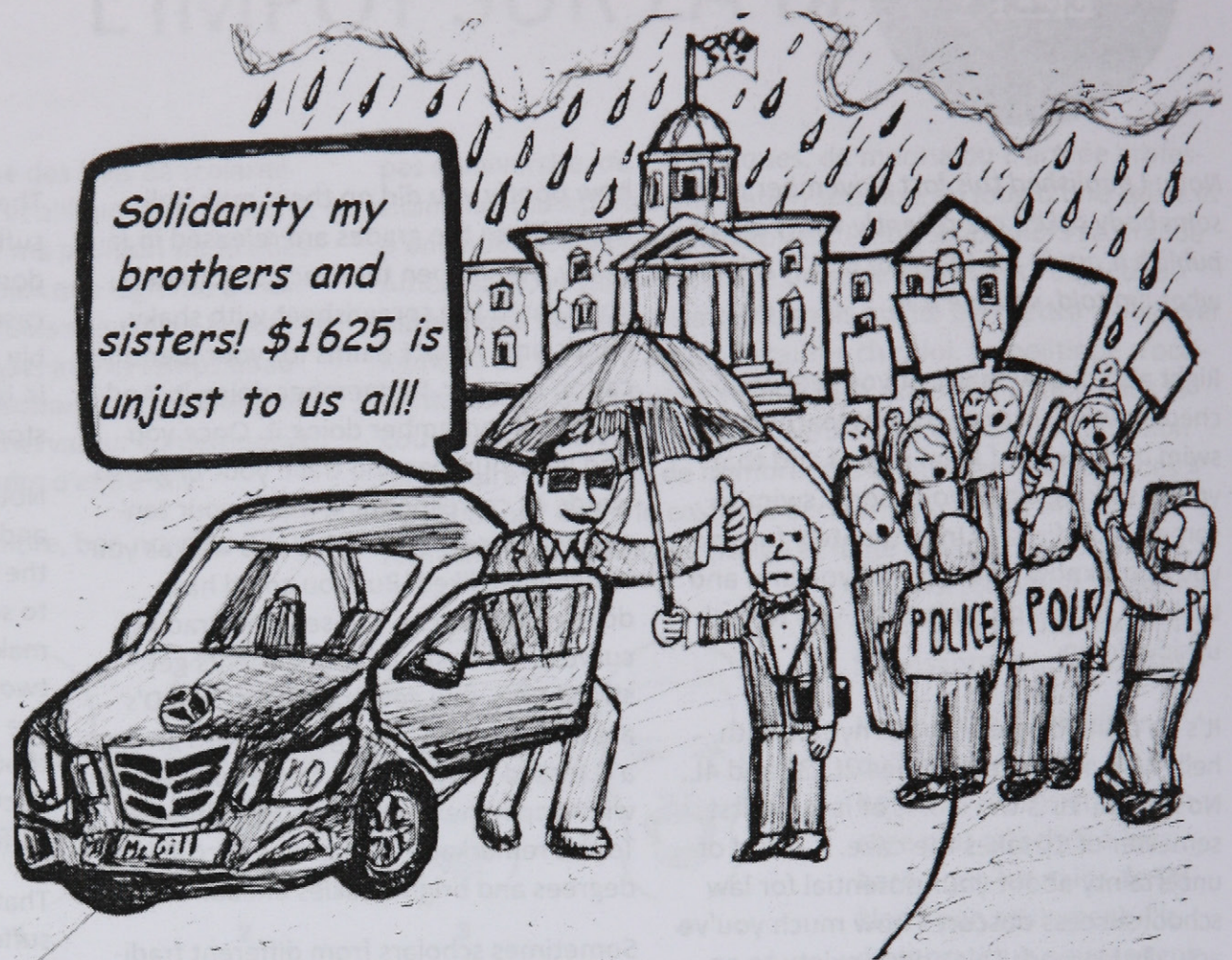
donner de nouvelles motivations pour renouer avec le rasoir. Ainsi, les fonctionnaires avaient pour instruction de repousser systématiquement les demandes des barbus ou de leur faire payer un surplus 50 roubles, à régler en travaux communautaires en cas d'insolvabilité. Enfin, la mode des arrestations citoyennes n'étant pas une invention de Stephen Harper, il était permis à celui qui croisait un individu commettant la double faute de n'être ni vêtu à l'occidentale, ni rasé, de traîner celui-ci de force devant les autorités, lesquelles lui accordaient en remerciement la moitié du montant des deux amendes (une pour l'affreuse barbe, l'autre pour les vilains habits) réclamées au récalcitrant.

Quand on y pense, le législateur formidable qu'était Pierre le Grand avait en quelque sorte imposé une « contravention pour être démodé ». Espérons que l'Histoire ne se répétera pas!

CARTOONS

Law II

**ANDREW
BAKER**




Law IV

**FRANCISCO
TORRES**



Reminder: the opinions of the cartoonists do not necessarily represent the opinions of the Quid Novi.



BEVERLEY

UN/SOLICITED ADVICE

PANIC EDITION

Hello, loyal readers! We decided to do something a bit different this week. November is an incredibly stressful month. Morale is low, feelings of inadequacy are high and the stress tends to make people wonder: is law for me? Most of us have been there before, so with that in mind we decided to tap into our most valuable resource - our peers. We have asked several people to answer three questions about their law school experiences and future plans. We felt that each of these people would provide a unique perspective about their experiences so far. They've got different backgrounds, different ages and different career goals - so we hope this week's column brings you some valuable insight and pulls things back into perspective. Huge thanks to all the contributors!

Here are the three questions we posed:

- (1) How would you describe your law school experience to date?**
- (2) How do you see this degree fitting into your future career plans?**
- (3) Any advice on making it through the next couple of months?**

We have decided to publish each person's answers together.

THE ACTIVIST

- 1) So far, law school has offered great opportunities to meet dedicated and hard-working students, professors and professionals in the human rights field. In that sense, the experience has been quite rewarding and I look forward to seeing where these friendships- and potential professional partnerships - can go.
- 2) I think law school is particularly useful in terms of teaching you how to write, research, think critically and work incredibly hard. Whether or not I choose to practice law or work in another field like development programming or human rights advocacy, these are valuable skills.
- 3) I suppose everyone says this, but really focusing on the bigger picture... Law school - any school - is really a stepping stone in a long line of academic and professional challenges!

THE PHILOSOPHER

- (1) Pour demeurer motivée, je dois me rappeler régulièrement les raisons qui sous-tendent mon choix d'étudier le droit.

Connaître le droit, c'est mieux comprendre le tissu social. C'est parfois difficile de trouver sa place parmi un échantillon d'étudiants tous brillants, mais avec des valeurs et objectifs très différents. Heureusement, je suis entourée de d'un groupe personnes à la faculté qui partagent mes idéaux de justice sociale et un regard critique face à la construction insidieuse d'un élitisme à travers plusieurs activités plus "classiques" de la faculté.

(2) Je ne suis pas certaine de vouloir pratiquer, mais je crois bien que je vais passer le Barreau du Québec (aussi bien avoir un outil de plus en poche!). J'espère que ces études seront l'outil qui me permettra de participer à la construction de politiques publiques plus efficaces et plus axées sur les besoins réels des gens. Mais il ne s'agit pour moi que d'un outil qui n'est rien sans une réflexion plus approfondie sur ce que sont les besoins humains.

(3) J'ai l'impression que le droit, c'est difficile pour tout le monde et qu'il n'y a pas de formule magique. Par ailleurs, tous les étudiants de la faculté savent travailler fort et bien étudier. Mais de mon côté, je m'assure de toujours bien dormir (quitte à manquer des cours), d'arrêter de travailler après souper, de passer un peu de temps à chaque semaine avec des gens importants pour moi et surtout d'avoir du temps pour faire de l'exercice et cuisiner des bons plats! Savoir décrocher quelques heures par jour, je crois que c'est la clé.

THE STRAIGHT-FROM-CEGEP STUDENT

- (1) The "school experience" is great! It's only the "law" part of it that is causing me trouble.

Sometimes I feel like I could be the girl in the horror movies that always goes back into the house for the cat, and won't get out without it! Even scared to death of failing (or in her case, being brutally murdered), we both still stubbornly need to achieve what we start. I only hope that in the end, I'll still be alive and that I'll have acquired a great deal of knowledge!

(2) I honestly have no idea what my plans are for after graduation. The only thing I know is that a law degree provides me with a royal flush. So let's just hope I'll have all the assets I need to win when the time comes.

(3) Les techniques de survie sont multiples, mais je crois que l'essentiel est de ne jamais oublier qu'il existe un monde en dehors de la faculté et qu'y prendre l'air de temps en temps ne fera pas de mal à votre GPA.

FUTURE POLITICIAN

(1) I would describe my law school experience as a series of humbling experiences from which it sometimes feels like I'll never recover. But this summer the dust settled and I realized I was still the more than acceptable person I've always been.

(2) I want to do something that involves policy as well as law. So I'm hoping that I'm coming away with a good idea of how the law works in a way that will inform my understanding of a bigger picture. And I'm hoping my law degree will make people interested in what I have to say, because they understand what an one-rous experience this was.

(3) There is a pleasure in working hard, so embrace it. Also, figure out what your sources of validation are, and maybe stock up on the ones that aren't grades, because your B's will not be patting you on the back or tucking you in at night.

THE WRITER ("COUSTEAU LIBMAN")

1) Relaxing! I do all of my best reading in the bath. I have trouble focusing when I'm not in hot water, so I'm always running and jumping in baths. I've tried to read in school, but the sinks in the bathrooms just aren't large enough to bathe in, and the urinals, while more inviting, are frigidly cold.

2) My goal is to join the French Foreign Legion. The only problem with this ambition is that I don't speak or read French. Luckily, the woman in admissions who administered my French proficiency test over the phone didn't speak French either. So I'm really here to learn French. The law is ancillary.

3) The yields on Italian bonds spiked today. If Italy exits the Euro, the world will likely plunge into another recession. I would worry more about the direction the world is heading in than about the next couple of months of school. If things really go badly, you're either going to be fired, or you're not going to be able to find a job at all.

The Mature Student:

(1) On the experience: The program's spilling over with highly motivated, wickedly intelligent, and deeply passionate people. All the good in this Faculty – and there's a great deal – is attributable to them.

(2) Ideally, the degree will put me on the path to being a Canadian lawyer with mad, bad transsystemic edge.

(3) When in doubt, throw down some jitterbug (or similar) in Gelber's stairwells. Don't let the funny looks interfere with your rhythm, whatever you do.

BAY-STREET BOUND

1) The first thoughts that come to mind are that law school has been pretty stressful. Fortunately for me that stress has been attenuated by the support of some pretty amazing friends at the faculty, and lots of freaked out calls to friends and family at home. Sleeping pills also help.

(2) I think the degree is just a tool to allow me to do some of the work I'd like to do. I'd like to practice law for a few years, so a law degree will get me a job, but I don't expect it to be very helpful once I'm there.

(3) Breathe.

WORK-LIFE BALANCER:

(1) I'm going to break down my experience according to years:

First Year - An amazing experience coming back to school, but wow - first year was a serious mind f\$%&; took a long time for my brain to adjust to truly learning "the law"; despised the full-year course structure, but looking back the foundational elements required for the rest of your time at McGill Law are all there; profs were largely solid; Foundations was a mess (although I hear it's so much better now); met an incredible group of people whom I will call friends for the rest of my life; and c'mon, THIS IS MONTREAL - WHAT A CITY!!

Second Year - Just AWESOME; diversity of classes equaled far greater interest and learning in both the CML and CVL systems; the stress of doing OCI's for firms across North America was usually intense and insane, but hugely worthwhile; 2nd Year Moot was one of the best university experiences I have ever had - there is no question that such practical classroom experiments have a positive influence on how McGill grads continue to succeed in the workplace/practice of law; summer work term only made me love my decision to back to school and enter the profession even more...

Third Year - A HUGE disappointment; likely the worst term of university I have ever had; the strike doesn't help as the atmosphere across campus is depressing; everyone - from profs to students - seems to be in cruise control, "zombie-ing" their way through the semester (has anyone read ANYTHING this year??); desperately trying not to dial-out, but with articles locked down in 2012, I long to be back in the workplace where there seems to be such a greater passion for both theory and practice in the law.

(2) As the LL.B and B.C.L. are the first professional degrees I hope to attain, they are critical to my future career plans. I hope to practice law in a number of jurisdictions over the course of my career. After working this past summer, I heard time and again how McGill's program is so fundamentally well-placed for its gra-

UN/SOLICITED ADVICE

PANIC EDITION (continued)

duates to achieve that goal. Here's hoping this career path plays out.

(3) Advice? For 1L's, I would recommend you work and study hard, but don't go bald or have to put yourself on horse tranquilizers to make it through. My first year grades were sub-par and everything still worked out in the end. Bottom line is to make sure you're actually learning what's being put in front of you. Lastly, you **MUST** rock out after the last day of exams, both this term and next April.

For 2L's, appreciate the new profs, the diversity of courses, and really take the time to use this year to chart out where you want to go (or more importantly, decide which areas of law are NOT for you - sometimes, that's an easier list to put to paper). Oh, and **DON'T** leave the printing of your factum till **3:45 pm on the day it's due next term**.

For 3L's and those students graduating, let's never lose sight of the friendships and connections made while at McGill Law. The face of this industry is rapidly changing, both in Canada and around the world. I know for a fact that many (if not all) of us

will be leading that change, and I can't wait to see where - and how far - we all go...

* * *

A note from Bev: We are certain that these wonderful, varied perspectives aren't shared by everyone at the faculty, and we acknowledge that there are many other views that we haven't heard. If you are in 2L, 3L or 4L, we would love to read your responses as well! Send them to dear.beverley@gmail.com and we will publish them with our next column.

Well folks, that's all for this week's Un/Solicited Advice. We don't have much to say without you, so please write in to us - no question too silly! No comment too inane! No offer of a date will be left unconsidered!

xo,
Bev

SKI OR SPA TRIP IN QUEBEC CITY! JANUARY 21-22

OPEN TO EVERYONE!

VENEZ PROFITER DES JOIES DE L'HIVER :
SELON VOS GOÛTS

Spa
Raquette
Alpine Skiing
Cross-country skiing
Visite libre de la ville de Québec

Ski au Mont-Sainte-Anne et au Massif

Nuit au luxueux Hotel Clarendon en plein
Vieux-Québec

Prices range
between
106\$ and
185\$

With Sunday
breakfast included
and Coach Bus
transportation

Rentals and classes available
at incredibly reduced prices

Check the LSA website under the "Events" section for
information on the various possible combinations and prices

Inscrivez-vous avant le 9 décembre 2011
en remplissant le formulaire disponible en ligne

Please bring your form to the LSA office in Michele's VP-Internal cubby!

Any questions: vp-internal.lsa@mail.mcgill.ca

OVERHEARD AT THE FAC

3L : I'm dying to know, what's in locker 604?

3L : Maybe the owner of #604 challenged Margaret to a duel at sunrise, and this is her formal acceptance?

1L: Il y a un mythe que toutes les filles qui viennent en droit cassent avec leur chum.

2L: You should get laid; I was a lot less stressed out last year when I was getting laid.

3L: I'm not a fan of Movember

3L: Come on, it's just one month... mustaches for a good cause!

3L: I have nothing against the cause, or mustaches. But Movember seems to be a free-for-all to stop shaving, cutting or even washing their hair. Look around: greasy hair, overdue hair cut, blood-shot eyes, puffy eyes... people don't even care about washing off coffee stains on their sweaters! We look more like people

stranded on an island without showers than professional students.

3L: Movember is nothing. Wait until exams...

Prof. [redacted]: So are atheists just trash?

4L: Well, that's not what I said.

Prof. [redacted]: We have it recorded.

Prof. Gélinas: La rule of law est comme la tarte aux pommes, c'est bon pour tout le monde.

Prof. Leckey: The presumption of paternity springs back to life, like a flower.

Prof. Adams: There will be a review class. Please attend. There will be cookies. (pause) No there won't - there's no way I could meet this obligation!

Prof. Massoud, *re: state succession*: Have any of you ever experienced a breakup in your lives? Don't raise your hands!

Prof. [redacted]: If we all go out and urinate on McTavish...don't quote me on this!

Prof. Adams: I will answer emails up to 10pm. After that, go to bed!

Prof. Gold: I was on the staff of the McGill Daily...We did not do occupations in my time, except of our own offices.

Prof. Massoud, *re: when states ignore treaty obligations*: If you don't even send a text and stop talking to your boyfriend or girlfriend there are going to be reputational consequences.

Prof. Gold: You come into law school thinking you're going to learn the rules and you realize what you learn is what you can get away with.

Prof. Moyse: Pas de bras, pas de chocolat!

Law II

MENTAL STATE

MICHÈLE
LAMARRE-
LEROUX

I had the honor of starting an attendance sheet in my Legal Ethics tutorial the other day. You must be thinking, "Yeah, what's the deal?" Exactly, what's the deal with a plain sheet with a list of names? So I decided to make it funnier! Next to the name column, I added the column "Mental State". I must say that it was hilarious to see the faces of people who looked puzzled seeing this column, so I thought I would share some of the answers with you:

- CHEERFUL (too pumped)
- ABSENT (yeah, it's a legal meth tutorial)
- SIGH... (agreed)
- COMFORTABLE (which I don't really figure...)
- LIKE A BOSS (dictating people on facebook chat, eh?)
- WTF? (this person is clearly in depression)
- FRIED (law school...)
- WARY (yeah, right)
- KILL ME NOW (common, no need to panic! it's just legal meth)

Je dois avouer que même si je suis sûre que vous ne riez pas autant que je l'ai fait pendant que la feuille circulait, ça m'a rendue vraiment joyeuse de parler de Legal Ethics!

**BON
SUCCÈS
DANS VOS EXAMENS**

&

**SEE YOU
IN
2012**

Mentors exceptionnels recherchent étudiants exceptionnels.

Nous recherchons des étudiants brillants et motivés qui souhaitent évoluer dans un milieu stimulant et bénéficier d'un encadrement et d'un mentorat hors pair, tout en contribuant aux activités de notre cabinet et de nos clients.

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